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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

**PAUL EDWARD TIMBERLAKE,**  
Petitioner,  
  
v.  
  
**KELLY SANTORO (WARDEN),**  
Respondent.

Case 1:20-cv-00013-NONE-SKO (HC)

**JOINT REQUEST TO SET  
BRIEFING SCHEDULE;  
ORDER SETTING BRIEFING  
SCHEDULE**

Before the Court is Petitioner's motion to stay the proceedings in this action under either *Rhines v. Weber*, 544 U.S. 269, 277 (2005) or *Kelly v. Small*, 315 F.3d 1063 (9th Cir. 2002). See ECF 26 (the "Motion").

The parties jointly ask the Court to enter an Order setting the following briefing schedule on the Motion:

- Respondent shall file any opposition to the Motion on or before February 1, 2021; and
- Petitioner shall file any reply in support of the Motion on or before March 1, 2021.

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Neither party will seek a hearing on the Motion.

Respectfully submitted on January 13, 2021.

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\* \* \*

**ORDER**

The Court having considered the parties' joint request to set a briefing schedule on the motion to stay, and good cause appearing, **IT IS HEREBY ORDERED** that the parties' proposed briefing schedule be adopted. Thus, Respondent shall file any opposition to the Motion on or before February 1, 2021, and Petitioner shall file any reply in support of the Motion on or before March 1, 2021.

IT IS SO ORDERED.

Dated: January 14, 2021

/s/ Sheila K. Oberto  
UNITED STATES MAGISTRATE JUDGE